

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Municipal Administration & Urban Development Department – Case under the P.C. Act, 1988 against Smt Bathula Jyothi Lakshmi, formerly Municipal Commissioner, Grade-II, Samalkot, East Godavari District – Trapped on 08.12.2011 – Sanction Prosecution – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.IV) DEPT

G.O.Ms.No. 111

Dated: 09-04-2014

ORDER:

1. WHEREAS, Smt Bathula Jyothi Lakshmi, W/o Varasala Sriram Mohan worked as Municipal Commissioner, Samalkot Municipality, East Godavari District from 28-07-2009 to 08.12.2011 and by virtue of the post held by her, she falls under the category of a Public Servant as defined under section 2 (c) of prevention of Corruption Act, 1988.

2. AND WHEREAS, Sri Kanuri Veera Venkata Satyanarayana, S/o Appa Rao, resident of Kanyakaparameswari Street, Samalkot, E.G.Dist. is a contractor, who has been executing contract works for various departments including municipal works of Samalkot Municipality. Prior to one year from the date of lodging report in this case, he successfully executed the work of construction of ground floor of municipal office, community hall near NTR Municipal Elementary School of 12th ward, Samalkot, providing sluice valves at Gajapathinagaram Reservoir compound in Samalkot Municipality, laying of RCC slab on the major drain in 11th ward of Kothapeta awarded to his father Appa Rao and repair works of municipal office. The measurements of the works were noted in M-Books. The concerned engineers also verified and check measured the measurements noted in the M-Books. It is further alleged that though the work of providing sluice valves to Gajapathinagaram Reservoir is executed and the measurements are noted in the M-Book. Smt. Bathula Jyothi Lakshmi did not sign the agreement. In connection with the above five works approximately an amount of Rs.11,50,000/- is due from the municipality to Sri Kanuri Veera Venkata Satyanarayana, Sri Kanuri Veera Venkata Sayanarayana, having come to know that the M-Books were still with the Asst. Engineer, met him and requested to forward the same to Smt. Bathula Jyothi Lakshmi, Municipal Commissioner, Then the A.E., informed that the Municipal Commissioner will scold him if the M-Books are forwarded unless she directs to do so and advised him to meet Smt. Bathula Jyothi Lakshmi and request for favour.

3. Accordingly Sri Kanuri Veera Venkata Satyanarayana, one day prior to Diwali festival i.e., 25-10-2011 met Smt. Bathula Jyothi Lakshmi, Municipal Commissioner, Grade-II, Samalkot to her house and requested to process his final bills and pass them. Then Smt. Bathula Jyothi Lakshmi demanded Rs.1,00,000/- as bribe to pass the bills. Then Sri Kanuri Veera Venkata Satyanarayana expressed his inability to pay such huge amount she insisted to pay Rs.1,00,000/- and also stated that she will not pass any bills unless the bribe amount is paid. She also

reiterated her demand in four or five times when Sri Kanuri Veera Venkata Satyanarayana met her from time to time. Again on 02-12-2011 when Sri Kanuri Veera Venkata Satyanarayana met Smt. Bathula Jyothi Lakshmi at her house and requested about his bills she questioned Sri Kanuri Veera Venkata Satyanarayana about the amount of bribe. When Sri Kanuri Veera Venkata Satyanarayana expressed his inability Smt Bathula Jyothi Lakshmi reduced her demand to Rs.60,000/- Having no other option Sri Kanuri Veera Venkata Satyanarayana unwillingly accepted the same.

4. As Sri Kanuri Veera Venkata Satyanarayana was not willing to pay the bribe amount, he informed the same to Tummala Ramakrishna, another contractor and presented report to the DSP, ACB, Rajahmundry on 05.12.2011. After observing procedural formalities, the DSP ACB, Rajahmundry registered the said report as a case in crime No.13-RCT-RJY/2011 u/s 7 of P.C.Act, 1988 and made arrangements for trap.

5. AND WHEREAS, after completing the pre-trap proceedings the DSP, ACB along with trap party left to the office of Smt. Bathula Jyothi Lakshmi where she was successfully trapped and when the fingers of both her hands were subjected to chemical test, the solution in which her right hand fingers alone were yielded positive results. In pursuance of the information furnished by Smt. Bathula Jyothi Lakshmi an amount of Rs.60,000/- was recovered from the attendance register in between page numbers 53 & 54. On verification, the serial numbers of the recovered currency notes were found tallied with those of the serial numbers of the currency notes that were produced by the defacto complainant during pre-trap proceedings. The chemical test conducted on the page nos. 53 & 54 of the attendance register also yielded positive results. The DSP seized resultant solution, tainted amount, left over S.C.powder, attendance register, M.Books, records and examined, relevant witnesses. He also prepared the rough sketch of the scene of offence.

6. AND WHEREAS, the above said acts of Smt. Bathula Jyothi Lakshmi, formerly Municipal Commissioner Grade-II, Samalkot, East Godavari district constitute offences punishable under sections 7 and 13 (2) read with 13 (1) (d) of Prevention of Corruption Act, 1988.

7. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Smt. Bathula Jyothi Lakshmi, formerly Municipal Commissioner Grade-II, Samalkot, East Godavari district from service after fully and carefully examining the material (i.e. FIR, Mediator Namas I & II, Statement of witnesses, copies of made up files, Final Report of DG, ACB and explanation of accused officer) placed before them in respect of the said allegations and the circumstances of the case consider that Smt. Bathula Jyothi Lakshmi, formerly Municipal Commissioner Grade-II, Samalkot, East Godavari District should be prosecuted in a Court of Law.

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8. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988, the Government hereby accord sanction for the prosecution of Smt. Bathula Jyothi Lakshmi, formerly Municipal Commissioner Grade-II, Samalkot, East Godavari district for the above said offences punishable under section 7 & 13 (2) read with 13 (1) (d) of Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court o competent jurisdiction.

Dr. S.K. JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To:
The Director General,
Anti Corruption Bureau, A.P., Hyderabad.

//Forwarded :: By order//

SECTION OFFICER.